

**UPDATED**  
TE Item #3  
October 6, 2025  
**Worksession**

## **M E M O R A N D U M**

October 1, 2025

TO: Transportation and Environment (TE) Committee

FROM: Christine Wellons, Chief Legislative Attorney

SUBJECT: Bill 28-25, Motor Vehicles and Traffic – Parking in Bikeways - Prohibited

PURPOSE: Worksession – recommendation expected

**Expected Attendees:**

Haley Peckett, Deputy Director of Policy, Montgomery County Department of Transportation (DOT)  
Jose Thomanna, Parking Management Division Chief, DOT  
David McBain, Assistant Chief, Montgomery County Police Department

Bill 28-25, Motor Vehicles and Traffic – Parking in Bikeways - Prohibited, was introduced on July 29, 2025. The Lead Sponsor is Councilmember Glass. Co-Sponsors are Councilmembers Luedtke, Friedson, and Fani-González.

Bill 28-25 would:

- (1) prohibit the standing, stopping, or parking of vehicles in bikeways; and
- (2) generally amend the law regarding motor vehicles and traffic in the County.

**BACKGROUND**

The purpose of Bill 28-25 would be to enhance safety for cyclists by prohibiting the standing, stopping, or parking of vehicles in bikeways. Similar laws exist in the City of Rockville, Washington, D.C. and Howard County, which already prohibit parking in bike lanes. See [DC-Bike-Law-Pocket-Guide-Oct2012.pdf](#); [Parking Tickets | Rockville, MD - Official Website](#); [2021 - Howard County - CB49-20](#).

According to the County's Vision Zero crash data, there have been 92 cyclist involved crashes from January 2025 through August 2025, five with serious injuries and two fatalities. Total cyclist involved crashes are one more than last year and two more than the pre-COVID average. See [Monthly Vision Zero Crash Data Summary](#).

## **BILL SPECIFICS**

Under current County law, “[e]xcept when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or official traffic-control device, a person must not stop, stand, or park a vehicle, whether occupied or not:

- (1) In any manner on a public highway which impedes the movement of traffic or constitutes a threat to public safety.
- (2) On a sidewalk.
- (3) Within an intersection.
- (4) On a crosswalk.
- (5) Alongside any street excavation, obstruction or barricade or opposite any street excavation, obstruction or barricade, when stopping, standing or parking would obstruct traffic.
- (6) Upon any bridge or other elevated structure upon a highway or within a highway tunnel.
- (7) On any ramp entering on or exiting from, any highway with two (2) or more traffic lanes moving in the same direction.
- (8) On any property owned or leased by the board of education of Montgomery County or Montgomery College where an official sign prohibits such parking.
- (9) In any place an official sign prohibits parking during specific a.m. or p.m. peak traffic periods.
- (10) Between a sidewalk or roadway curb and the property edge of a public street or highway, except in an emergency.”

Bill 28-25 would add bikeways to the list of areas in which stopping, standing, or parking a vehicle is prohibited. Under the bill as originally introduced, the term “bikeway” would be defined as “[a]ny area expressly intended for bicycle travel, including:

- (a) associated curbs and gutters; and

- (b) any bike lane, off-street trail, separate bike lane, shared use roadway, or sidepath, as those terms are defined under Section 49-26.”

For the definitions of bike lane, off-street trail, separate bike lane, shared use roadway, and sidepath, see Section 49-26, which provides:

- (a) *Bike lane* means a portion of a roadway designated by striping, signing, or pavement markings for the preferential or exclusive use of bicycles, and on which travel by motor vehicles is not allowed.
- (b) *Off-street trail* means paths located outside of the road right-of-way that provide two-way travel for people walking, bicycling, and using other non-motorized modes. This facility was formerly referred to as a “shared use trail.”
- (c) *Separated bike lane*, also known as a protected bike lane or cycle track means an exclusive bikeway that is physically separated from motor vehicles and distinct from the sidewalk. A separated bike lane may be in a one-way or two-way configuration.
- (d) *Shared use roadway* means a roadway open to both bicycle and motor vehicle travel and which is designated as a preferred route for bicycle use by warning or informational signs.
- (e) *Sidepath* means a paved path that is located parallel to and within the road right-of-way. Sidepaths provide two-way travel routes designated for walking, bicycling, jogging and skating. Sidepaths are separated from motorized traffic by a curb, barrier, or landscape panel. This facility was formerly referred to as a “shared use path”.

## SUMMARY OF IMPACT STATEMENTS

**Economic Impact.** “The Office of Legislative Oversight (OLO) anticipates that Bill 28-25 would have an insignificant impact on economic conditions in the County, as measured by the Council’s priority economic indicators. By prohibiting individuals from stopping, standing, or parking a vehicle in a bikeway, the policy change is unlikely to have a meaningful economic impact on businesses or residents. While local businesses often worry that improved bike and pedestrian facilities will deter motorists and harm sales, research on bicycle and pedestrian infrastructure has largely shown no significant impact on net consumer spending at nearby businesses. 1 Additionally, the fiscal impact assessment notes that enforcement of this policy would not be expanded unless additional revenues are allocated for this purpose.”

**Racial Equity and Social Justice Impact.** “The Office of Legislative Oversight (OLO) anticipates Bill 28-25 will have a minimal impact on racial equity and social justice (RESJ) in the County. Prohibiting parking in bikeways is not likely to affect unsafe street conditions that drive racial disparities in traffic injuries.”

**Climate Assessment.** “The Office of Legislative Oversight (OLO) anticipates Bill 28-25 will likely have a small, positive impact on the County’s contribution to addressing climate change as the Bill’s proposed changes could make bike lanes safer to use and therefore encourage more residents to choose biking as a form of transportation over more carbon intensive transportation. This could decrease the County’s greenhouse gas emissions associated with travel.”

**Fiscal Impact.** The Office of Management and Budget states: “The bill is not expected to impact County expenditures or revenues associated with the Parking Lot Districts (PLDs) or Residential Parking Permit Areas (RPPAs). Expenditure and revenue impacts to the remainder of the County, not including areas under the jurisdiction of municipalities and the Maryland-National Capital Parks and Planning Commission (M-NCPPC), are not known.”

#### **SUMMARY OF PUBLIC TESTIMONY**

At the public hearing on September 30, several organizations and individuals testified in support of Bill 28-25.

The Washington Area Bicyclist Association strongly supports the bill as a necessary safety measure. The Coalition for Smarter Growth testified that the bill would be a commonsense fix to the County Code.

Several individuals spoke regarding the frequency and dangers of vehicles blocking designated bike lanes. They spoke about the serious safety risks of cycling in bike lanes where vehicles are stopped or parked. An individual emphasized that traffic could be reduced if cycling becomes more convenient and safe.

#### **ISSUES FOR THE COMMITTEE’S CONSIDERATION**

The Committee might wish to consider the following issues and potential amendments to Bill 28-25.

##### **1. Potential Amendment #1 – “Shared Use Roadways”**

The Department of Transportation (DOT) staff, as well as the Office of the County Attorney (OCA) have pointed out that some “shared use roadways” currently have signs permitting parking in certain areas. Unless the Committee wishes to prohibit parking completely within shared use roadways – including those that currently allow parking – the Committee might wish to exclude “shared use roadways” from the definition of “bikeway” as follows:

Bikeway: Any area expressly intended for bicycle travel, including:

- (c) associated curbs and gutters; and
- (d) any bike lane, off-street trail, separate bike lane, [[shared use roadway,]] or sidepath, as those terms are defined under Section 49-26.

Alternatively, as noted by DOT, the Committee could address the issue of “shared use roadways” by amending the bill as follows.

Except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or official traffic-control device, a person must not:

- (a) Stop, stand or park a vehicle, whether occupied or not:

\* \* \*

(11) On any bikeway, except where parking is specifically allowed by signs on a shared use roadway.

## **2. Potential Amendment #2 – “Separated Paths” – Technical Correction**

DOT has pointed out a needed technical correction to the bill. The term “separate bike lane” under the bill’s definition of “bikeway” actually should be “separated bike lane” for consistency with Section 49-26.

Bikeway: Any area expressly intended for bicycle travel, including:

- (e) associated curbs and gutters; and
- (f) any bike lane, off-street trail, [[separate]] separated bike lane, shared use roadway, or sidepath, as those terms are defined under Section 49-26.

## **3. Potential Exemptions**

DOT and OCA have suggested that the Committee might wish to consider adding explicit exemptions from the parking prohibitions. In its written comments, DOT suggested considering whether to:

- Exempt from the prohibition against stopping and parking “public transit and school buses that are actively loading or unloading passengers at designated transit stops[.]”; and
- Allow for stopping or standing in the event of an emergency on shoulders.

Council staff has asked whether these exemptions are already covered by the following existing language of Section 31-20:

*Except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or official traffic-control device, a person must not:*

- (a) Stop, stand or park a vehicle, whether occupied or not...(emphasis added).

Assistant Chief Augustine responded: “MCPD interprets the existing language of Section 31-20 to already provide the necessary flexibility for exemptions. The clause “*except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or official traffic-control device*” covers situations such as emergency stops, compliance with ADA requirements, or following the direction of an officer.

Operationally, MCPD enforces this section with the understanding that buses, emergency vehicles, and individuals responding to immediate hazards fall under those exceptions

Unless DOT has identified a particular operational or compliance issue, MCPD does not see a need to revise or expand the exemptions list.”

Council staff agrees with MCPD’s interpretation and approach. However, given that DOT and OCA have suggested that the Council might wish to further consider the adequacy of the current exemption language, the Committee might wish to request further study by the Departments, OCA, and Council staff to make sure that amendments to the language are neither under-, nor over-inclusive.

#### **4. Clarification -- Parking when Prohibited by Official Signage**

DOT has recommended clarifying Section 31-20(a)(1)(9) as follows:

- (a) A person must not stop, stand, or park a vehicle, whether occupied or not:

\* \* \*

- (9) In any place an official sign prohibits stopping, standing, or parking during specific a.m. or p.m. peak traffic periods, during the times posted on the sign.

Council staff supports the clarification.

**NEXT STEP:** Committee recommendation on whether to recommend the enactment of Bill 28-25.

#### **This packet contains:**

Bill 28-25

Climate Assessment

RESJ Impact Statement

Fiscal Impact Statement

Economic Impact Statement

Memorandum by MCDOT

Public Testimony:

[Bill 28-25, Motor Vehicles and Traffic - Parking in Bikeways - September 30, 2025 - Public Testimony - Montgomery County Council](#)

#### **Circle #**

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Bill No. 28-25  
Concerning: Motor Vehicles and Traffic –  
Parking in Bikeways - Prohibited  
Revised: 7/7/2025 Draft No. 1  
Introduced: July 29, 2025  
Expires: December 7, 2026  
Enacted: \_\_\_\_\_  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: None  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Councilmember Glass  
Co-Sponsors: Councilmembers Luedtke, Friedson, and Fani-González

### AN ACT to:

- (1) prohibit the standing, stopping, or parking of vehicles in bikeways; and
- (2) generally amend the law regarding motor vehicles and traffic in the County.

By amending

Montgomery County Code  
Chapter 31, Motor Vehicles and Traffic  
Sections 31-1 and 31-20

*The County Council for Montgomery County, Maryland approves the following Act:*

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

**Sec. 1. Sections 31-1 and 31-20 are amended as follows:**

**31-1. Definitions.**

For the purposes of this chapter, the following words and phrases [shall] must have the meanings respectively ascribed to them in this article:

\* \* \*

*Bicycle:* A vehicle that is designed to be operated by human power or with assistance of a motor that has a capacity of less than fifty (50) cubic centimeters piston displacement or rated less than one (1) brake horsepower, that has two (2) or three (3) wheels of which one is more than fourteen (14) inches in diameter, that have a rear drive and with wheel configuration as follows:

(a) Two (2) wheels in tandem.

(b) Three (3) wheels; single front wheel with two (2) rear wheels on a horizontal axis perpendicular to the longitudinal plane of the front wheel and spaced substantially equidistant from the front wheel center line.

*Bikeway:* Any area expressly intended for bicycle travel, including:

(a) associated curbs and gutters; and

(b) any bike lane, off-street trail, separate bike lane, shared use roadway, or sidepath, as those terms are defined under Section 49-26.

*Bus:* Every motor vehicle except school buses designed for carrying more than ten (10) passengers and used for the transportation of persons; and every motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation.

\* \* \*

**31-20. Parking prohibited, specifically.**



26 Except when necessary to avoid conflict with other traffic or in compliance  
 27 with law or the directions of a police officer or official traffic-control device, a  
 28 person must not:

29 (a) Stop, stand or park a vehicle, whether occupied or not:

30 (1) In any manner on a public highway which impedes the  
 31 movement of traffic or constitutes a threat to public safety.

32 (2) On a sidewalk.

33 (3) Within an intersection.

34 (4) On a crosswalk.

35 (5) Alongside any street excavation, obstruction or barricade or  
 36 opposite any street excavation, obstruction or barricade, when  
 37 stopping, standing or parking would obstruct traffic.

38 (6) Upon any bridge or other elevated structure upon a highway or  
 39 within a highway tunnel.

40 (7) On any ramp entering on or exiting from, any highway with two  
 41 (2) or more traffic lanes moving in the same direction.

42 (8) On any property owned or leased by the board of education of  
 43 Montgomery County or Montgomery College where an official  
 44 sign prohibits such parking.

45 (9) In any place an official sign prohibits parking during specific a.m.  
 46 or p.m. peak traffic periods.

47 (10) Between a sidewalk or roadway curb and the property edge of a  
 48 public street or highway, except in an emergency.

49 (11) On any bikeway.

50 \* \* \*

# Climate Assessment

Office of Legislative Oversight

## BILL 28-25: MOTOR VEHICLES AND TRAFFIC – PARKING IN BIKEWAYS - PROHIBITED

### SUMMARY

The Office of Legislative Oversight (OLO) anticipates Bill 28-25 will likely have a small, positive impact on the County's contribution to addressing climate change as the Bill's proposed changes could make bike lanes safer to use and therefore encourage more residents to choose biking as a form of transportation over more carbon intensive transportation. This could decrease the County's greenhouse gas emissions associated with travel.

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### BACKGROUND AND PURPOSE OF BILL 28-25

Under County law, community members are prohibited from stopping, standing, or parking a vehicle in any way that impedes traffic and in certain places. This includes sidewalks, crosswalks, and within intersections, among others.<sup>1</sup> Currently, community members can be fined \$60 for violations of this law.<sup>2</sup>

If enacted, Bill 28-25 would prohibit community members from stopping, standing, or parking a vehicle in a bikeway. The Bill defines a bikeway as "any area expressly intended for bike travel, including:<sup>3</sup>

- Associated curbs and gutters; and
- Any bike lane, off-street trail, separate bike lane, shared use roadway, or side path."

According to the Bill's sponsor, Bill 28-25 is intended to "enhance safety for cyclists and keep designated bikeways clear and accessible for users."<sup>4</sup>

The Council introduced Bill 28-25 on July 29, 2025.

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### METHODOLOGIES, ASSUMPTIONS, AND UNCERTAINTIES

**Methodology.** OLO reviewed research on bike lanes and user's perceptions of safety on characteristics of bike lanes.

**Assumptions.** Prohibiting vehicles from standing, stopping, or parking in bike lanes would encourage more residents to choose biking as a form of transportation.

**Uncertainties.** OLO is unable to predict how many residents will choose to bike to their destination, due to perceived safety of bike lanes from prohibiting vehicles standing, stopping, or parking in bike lanes.

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## PERCEPTIONS OF SAFETY & IMPACTS ON BIKE LANE USAGE

Bike lanes are important infrastructure in encouraging multi-modal transportation and reducing dependency on personal motor vehicles, which contribute greatly to greenhouse gas emissions associated with travel.<sup>5</sup> However, the type and quality of bike lanes influence people’s decisions in using a bike as their primary source of transportation. For example, various studies and surveys have highlighted preferences in how bike lanes are constructed and other policies that encourage safer bike use such as:

- Protected bike lanes that are well separated from motorized traffic;<sup>6</sup>
- Continuous bike lanes or trails along a chosen route;<sup>7</sup> and
- Buffers between parked cars and the bike line.<sup>8</sup>

Many of these preferences are rooted in safety. Research shows the potential bike rider’s perception of the safety of a bike lane and/or route is one of the main deciding factors in choosing to bike over other forms of transportation.<sup>9</sup> Other factors that contribute to the safety of bike lanes include discouraging cars from parking in bike lanes. One study found that streets with lower traffic levels and no parked cars are associated with low levels of injury risk. Bicycle accidents frequently occur due to opening doors of parked cars and obstacles in bike lanes, such as parked cars.<sup>10</sup>

Bill 28-25’s proposed prohibition of motor vehicles standing, stopping, or parking in bikeways would likely increase the perception of safety in bike lanes, if enforced. If residents perceive bike lanes to be safer, they are more likely to choose biking as a form of transportation. Encouraging transportation other than by personal vehicle can decrease the County’s greenhouse gas emissions associated with travel.

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## ANTICIPATED IMPACTS

As the Bill’s proposed changes are likely to increase the perception of safety in bike lanes and therefore encourage more residents to choose to bike as a form of transportation over more carbon intensive methods of transportation, OLO anticipates Bill 28-25 could have a small, positive impact on the County’s contribution to greenhouse gas emissions.

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## RECOMMENDED AMENDMENTS

The Climate Assessment Act requires OLO to offer recommendations, such as amendments or other measures to mitigate any anticipated negative climate impacts.<sup>11</sup> OLO does not offer recommendations or amendments as Bill 28-25 is likely to have a positive impact on the County’s contribution to addressing climate change, including the reduction and/or sequestration of greenhouse gas emissions, community resilience, and adaptative capacity.

## CAVEATS

OLO notes two caveats to this climate assessment. First, predicting the impacts of legislation upon climate change is a challenging analytical endeavor due to data limitations, uncertainty, and the broad, global nature of climate change. Second, the analysis performed here is intended to inform the legislative process, not determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the bill under consideration.

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## PURPOSE OF CLIMATE ASSESSMENTS

The purpose of the Climate Assessments is to evaluate the anticipated impact of legislation on the County's contribution to addressing climate change. These climate assessments will provide the Council with a more thorough understanding of the potential climate impacts and implications of proposed legislation, at the County level. The scope of the Climate Assessments is limited to the County's contribution to addressing climate change, specifically upon the County's contribution to greenhouse gas emissions and how actions suggested by legislation could help improve the County's adaptive capacity to climate change, and therefore, increase community resilience.

While co-benefits such as health and cost savings may be discussed, the focus is on how proposed County bills may impact GHG emissions and community resilience.

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## CONTRIBUTIONS

OLO staffer Kaitlyn Simmons drafted this assessment.

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<sup>1</sup> [Introduction Staff Report for Bill 28-25, Montgomery County Council, Introduced July 29, 2025, pgs. 1-2.](#)

<sup>2</sup> [Introduction Staff Report for FY 26 Resolution on Transportation Fees, Charges, and Fares, Montgomery County Council, Introduced March 25, 2025, pgs. \(7\)-\(8\).](#)

<sup>3</sup> Introduction Staff Report for Bill 28-25, pg. 2.

<sup>4</sup> ["Councilmember Evan Glass Introduces Bicycle Safety Legislation," Press Releases, Montgomery County Council, July 29, 2025.](#)

<sup>5</sup> [US Department of Transportation, "Active Transportation", Accessed 8/27/2025.](#)

<sup>6</sup> [Hwang, U. and Guhathakurta, S., "Exploring the Impact of Bike Lanes on Transportation Mode Choice: A simulation-based, route-level impact analysis", Sustainable Cities and Society, February 2023.](#)

<sup>7</sup> [O'Halleran, C. and Hull, A., "Bicycle infrastructure: can good design encourage cycling?", Urban, Planning, and Transport Research, August 12, 2014.](#)

<sup>8</sup> [McNeil, N., Monsere, C. M., and Dill, J., "The Influence of Bike Lane Buffer Types on Perceived Comfort and Safety of Bicyclists and Potential Bicyclists", Civil and Environmental Engineering, 2015.](#)

<sup>9</sup> [Clark, C., et. al., "User Preferences for Bicycle Infrastructure in Communities with Emerging Cycling Cultures", Journal of the Transportation Research Board, June 27, 2019.](#)

<sup>10</sup> [O'Halleran, C. and Hull, A., "Bicycle infrastructure: can good design encourage cycling?", Urban, Planning, and Transport Research, August 12, 2014.](#)

<sup>11</sup> Bill 3-22, Legislative Branch – Climate Assessments – Required, Montgomery County Council, Effective date October 24, 2022

# Racial Equity and Social Justice (RESJ) Impact Statement

Office of Legislative Oversight

## BILL 28-25: MOTOR VEHICLES AND TRAFFIC – PARKING IN BIKEWAYS – PROHIBITED

### SUMMARY

The Office of Legislative Oversight (OLO) anticipates Bill 28-25 will have a minimal impact on racial equity and social justice (RESJ) in the County. Prohibiting parking in bikeways is not likely to affect unsafe street conditions that drive racial disparities in traffic injuries.

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### PURPOSE OF RESJ IMPACT STATEMENTS

RESJ impact statements (RESJIS) evaluate the anticipated impact of legislation on racial equity and social justice in the County. RESJ is a **process** that focuses on centering the needs, leadership, and power of Black, Indigenous, and other People of Color (BIPOC) and communities with low incomes. RESJ is also a **goal** of eliminating racial and social inequities. Applying a RESJ lens is important to achieve RESJ.<sup>1</sup> This involves seeing, thinking, and working differently to address the racial and social inequities that cause racial and social disparities.<sup>2</sup>

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### PURPOSE OF BILL 28-25

Under County law, community members are prohibited from stopping, standing, or parking a vehicle in any way that impedes traffic and in certain places. This includes sidewalks, crosswalks, and within intersections, among others.<sup>3</sup> Currently, community members can be fined \$60 for violations of this law.<sup>4</sup> Parking violations are primarily enforced by the Montgomery County Department of Transportation (DOT) in the County's three Parking Lot Districts (PLDs): Bethesda, Silver Spring, and Wheaton.<sup>5,6</sup> Outside of the PLDs, parking violations are enforced by the Montgomery County Police Department (MCPD). The Maryland-National Capital Park and Planning Commission (MNCPPC) enforces parking violations in the County's parks and trails.<sup>7</sup>

If enacted, Bill 28-25 would prohibit community members from stopping, standing, or parking a vehicle in a bikeway. The Bill defines a bikeway as "any area expressly intended for bike travel, including:<sup>8</sup>

- Associated curbs and gutters; and
- Any bike lane, off-street trail, separate bike lane, shared use roadway, or sidepath."

According to the Bill's sponsor, Bill 28-25 is intended to "enhance safety for cyclists and keep designated bikeways clear and accessible for users."<sup>9</sup> Bill 28-25 would be enforced by DOT, MCPD, and M-NCPPC depending on where the parking violation occurs.

The Council introduced Bill 28-25 on July 29, 2025.

This RESJIS builds on those for:

- Bill 24-22, Streets and Roads, which OLO published in August 2022;<sup>10</sup> and
- Bill 12-23, Police – Traffic Stops – Limitations (The STEP Act).<sup>11</sup>

Please refer to these RESJISs for background on transportation infrastructure, police stops, and racial equity.

# RESJ Impact Statement

## Bill 28-25

### TRAFFIC SAFETY AND RACIAL EQUITY

Like most institutions, the transportation landscape in the U.S. is characterized by structural racism. This stems from a long legacy of policies and practices at all levels of government that have embedded racial inequity in transportation and traffic safety. For example, highway construction and urban renewal efforts from the late 1950s through the 1970s – carried out by the federal government in collaboration with local and state governments – accelerated the destruction and displacement of Black communities and deepened racial segregation in Montgomery County and throughout the U.S.<sup>12</sup> Today, following patterns of segregation, lower-income BIPOC communities are often characterized by unsafe street infrastructure, such as inadequate sidewalks and crosswalks and major arterial roads that prioritize speed and car volume over pedestrian safety.<sup>13,14</sup>

Locally, a 2020 study by the Metropolitan Washington Council of Governments (MWCOC) found that Equity Emphasis Areas (EEA) – Census tracts with high concentrations of community members who are low-income and/or BIPOC – had a disproportionate concentration of serious and fatal crashes in the County.<sup>15</sup> Further, a 2022 study by Montgomery Planning found crash risk for all crash types, including bicycle crashes at intersections, to be higher in EEAs than non-EEAs.<sup>16</sup> Unsafe traffic conditions in BIPOC communities contribute to a higher risk of traffic injury among Black and Latinx community members. For instance, between 2015 and 2019 (Table A, Appendix):

- Black and Latinx community members had emergency room admission rates for car crashes that were between two and three times the rate of White community members; and
- Black and Latinx community members had the highest rates of mortality from car crashes.

Local data does not differentiate car crashes that involve pedestrians and cyclists.<sup>17</sup> Nonetheless, national studies confirm that Black and Latinx people experience the highest fatality risk across all modes of travel, including cycling.<sup>18</sup>

Overpolicing also undermines health and safety for BIPOC in transportation.<sup>19</sup> For cycling specifically, several studies in local jurisdictions have shown that Black and Latinx neighborhoods and individual cyclists receive a disproportionate share of traffic citations related to cycling.<sup>20</sup> Locally, while Black and Latinx community members each comprise 19 and 21 percent of the County's population, they comprised 29 and 32 percent of bike-related traffic citations electronically issued by MCPD since 2012 (Table B, Appendix).<sup>21</sup> Notably, while Latinx cyclists are more likely to receive a citation for traffic violations, White cyclists are more likely to receive a warning.

In *Untokening 1.0: Principles of Mobility Justice*, Untokening – a multiracial collective that advocates for mobility justice and equity – outlines several principles to advance mobility justice for BIPOC and other impacted communities. These include:<sup>22</sup>

- Recognizing and addressing historical and current racial and social injustices that negatively impact equitable and safe mobility;
- Co-creating new decision-making processes for mobility policies and programs that share power with BIPOC and other impacted communities;
- Prioritizing the lived experiences of BIPOC and other impacted communities over quantitative data to assess infrastructure and investment needs;
- Identifying and investing in grassroots mobility solutions that respond to local needs; and
- Rejecting policing as a solution for street safety.

# RESJ Impact Statement

## Bill 28-25

### ANTICIPATED RESJ IMPACTS

To consider the anticipated impact of Bill 28-25 on RESJ in the County, OLO recommends the consideration of two related questions:

- Who would primarily benefit or be burdened by this bill?
- What racial and social inequities could passage of this bill weaken or strengthen?

OLO identified the following groups who would be impacted by Bill 28-25:

- **Community members who use bikeways** would benefit from safer bikeways if Bill 28-25 works as intended. Advocates note that parking vehicles in bike lanes can be dangerous. This often forces cyclists to maneuver into traffic, which increases their risk of being hit by a moving vehicle.<sup>23,24</sup>  
  
OLO could not find data on the demographics of community members who bike or who use bikeways by race and ethnicity. Notably, as previously described, Black and Latinx community members experience the highest rates of traffic injury in the County. However, prohibiting parking in bikeways is not likely to affect unsafe street conditions that drive racial disparities in traffic injuries.
- **Community members who drive** would be burdened by an additional prohibition on parking. According to the Office of Management and Budget, parking enforcement officers currently cite community members for stopping, standing, or parking a vehicle in a bikeway through an existing provision in County law. Unless more funding is provided for additional enforcement officers, Bill 28-25 is not likely to lead to more enforcement of this violation.<sup>25</sup>

Taken together, OLO anticipates Bill 28-25 will have a minimal impact on RESJ in the County.

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### RECOMMENDED AMENDMENTS

The Racial Equity and Social Justice Act requires OLO to consider whether recommended amendments to bills aimed at narrowing racial and social inequities are warranted in developing RESJ impact statements.<sup>26</sup> OLO anticipates Bill 28-25 will have a minimal impact on RESJ in the County. As such, OLO does not offer recommended amendments. However, should the Council seek to improve the RESJ impact of this Bill, OLO offers two policy options for Council consideration:

- **Encourage DOT to collaborate with BIPOC community members in efforts to enhance bicycling safety.** Developing any policy or program that advances RESJ, including mobility justice,<sup>27</sup> requires community engagement that centers the needs and priorities of BIPOC community members.<sup>28</sup> The Council could support efforts that encourage DOT to prioritize engagement with BIPOC communities in determining policies, programs and investments to enhance bicycling safety.
- **Commission study of local racial disparities in parking violations.** In other local jurisdictions, studies have found geographic disparities in parking citations by race, income, and/or other community demographics. They have also found that BIPOC community members are disproportionately harmed by outstanding debt that results from parking citations.<sup>29</sup> Commissioning a study could help the Council to understand local racial disparities in parking violations, how parking-related policies like Bill 28-25 could impact these disparities, and solutions to reduce racial inequities and disparities in parking violations.

# RESJ Impact Statement

## Bill 28-25

### CAVEATS

Two caveats to this racial equity and social justice impact statement should be noted. First, predicting the impact of legislation on racial equity and social justice is a challenging analytical endeavor due to data limitations, uncertainty, and other factors. Second, this RESJ impact statement is intended to inform the legislative process rather than determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the bill under consideration.

### APPENDIX

**Table A. Emergency Room Visits and Mortality Rate for Motor Vehicle Crashes by Race and Ethnicity, Montgomery County, 2015-2019**

Race or ethnicity <sup>30</sup>	Emergency Room Visits (Age-Adjusted Rate Per 100,000 Residents)	Mortality Rate (Age-Adjusted Rate Per 100,000 Residents)
Asian or Pacific Islander	266	4.4
Black	1,394	5.7
White	438	4.7
Latinx	1,082	6.4
<b>Overall</b>	<b>800</b>	<b>5.2</b>

Source: ["Supporting Data Analysis for the Vision Zero 2030 Action Plan," Montgomery County Vision Zero, July 2021, pg. 11.](#)

**Table B. MCPD Bike-Related Traffic Stops by Race and Ethnicity, 2012-2025<sup>31</sup>**

Race or ethnicity	Percent Stopped (N=77)	Percent Receiving Citation (N=38)	Percent Receiving Warning (N=39)
Asian or Pacific Islander	5.2	5.3	5.1
Black	28.6	28.9	28.2
White	40.3	34.2	46.2
Latinx	26.0	31.6	20.5

Source: OLO analysis of [dataMontgomery Traffic Violations dataset](#) as of August 25, 2025.

<sup>1</sup> Definition of racial equity and social justice adopted from [Marlysa Gamblin et al., "Applying Racial Equity to U.S. Federal Nutrition Programs," Bread for the World](#) and [Racial Equity Tools](#).

<sup>2</sup> Ibid.

<sup>3</sup> [Introduction Staff Report for Bill 28-25, Montgomery County Council, Introduced July 29, 2025, pgs. 1-2.](#)

<sup>4</sup> [Introduction Staff Report for FY 26 Resolution on Transportation Fees, Charges, and Fares, Montgomery County Council, Introduced March 25, 2025, pgs. \(7\)-\(8\).](#)

<sup>5</sup> ["Parking District Services Mission," Division of Parking Management, Montgomery County Department of Transportation.](#)

<sup>6</sup> ["PLD and TMD Program Descriptions," Division of Parking Management, Montgomery County Department of Transportation.](#)

<sup>7</sup> OLO communication with DOT staff on August 19, 2025.

<sup>8</sup> Introduction Staff Report for Bill 28-25, pg. 2.



# RESJ Impact Statement

## Bill 28-25

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<sup>9</sup> [“Councilmember Evan Glass Introduces Bicycle Safety Legislation,” Press Releases, Montgomery County Council, July 29, 2025.](#)

<sup>10</sup> [RESJIS for Bill 24-22, Office of Legislative Oversight, August 22, 2022.](#)

<sup>11</sup> [RESJIS for Bill 12-23, Office of Legislative Oversight, April 17, 2023.](#)

<sup>12</sup> RESJIS for Bill 24-22, pg. 2.

<sup>13</sup> Ibid, pg. 3.

<sup>14</sup> [“Our Plan to Eliminate Fatalities and Serious Injuries on our Roads by 2030,” Montgomery County Vision Zero, July 1, 2023, pg. 17.](#)

<sup>15</sup> [“Supporting Data Analysis for the Vision Zero 2030 Action Plan,” pg. 12 citing “Regional Safety Study: Equity Emphasis Area Analysis,” National Capital Region Transportation Planning Board, Metropolitan Washington Council of Governments, May 7, 2021.](#)

<sup>16</sup> [“Predictive Safety Analysis Final Report,” Montgomery Planning, July 2022, pg. 28.](#)

<sup>17</sup> [“Supporting Data Analysis for the Vision Zero 2030 Action Plan,” Montgomery County Vision Zero, July 2021, pg. 11.](#)

<sup>18</sup> [Matthew Raifman and Ernani Choma, “Disparities in Activity and Traffic Fatalities by Race/Ethnicity,” American Journal of Preventative Medicine, August 2022.](#)

<sup>19</sup> RESJIS for Bill 12-23, pg. 3.

<sup>20</sup> [Jesus M. Barajas, “‘Bicycling While Black’: The Problems of Policing and Planning,” Institute of Transportation Studies, UC Davis, September 9, 2020.](#)

<sup>21</sup> Of note, bike-related traffic stops appear to be uncommon in the County. Since 2012, for traffic stops that are tracked electronically, MCPD conducted 77 stops for traffic violations related to bicycling, with only six stops occurring since 2020. Of the six stops since 2020, 5 involved White cyclists and 1 involved a Latinx cyclist.

<sup>22</sup> [“Untokening 1.0 – Principles of Mobility Justice,” Untokening, November 13, 2016.](#)

<sup>23</sup> [Stephen Hudson, “What’s wrong with parking in bike lanes? A lot, actually,” Greater Greater Washington, August 9, 2018.](#)

<sup>24</sup> [“Bike Lanes Are Not Parking Spots: Why Blocking Them Puts Memphis Lives at Risk,” Memphis Hightailers Bicycle Club.](#)

<sup>25</sup> Fiscal Impact Statement for Bill 28-25, Office of Management and Budget, August 29, 2025.

<sup>26</sup> [Bill 27-19, Administration – Human Rights – Office of Racial Equity and Social Justice – Racial Equity and Social Justice Advisory Committee – Established, Montgomery County Council.](#)

<sup>27</sup> “Untokening 1.0 – Principles of Mobility Justice.”

<sup>28</sup> [Janmarie Peña and Chitra Kalyandurg, OLO Report 2024-8: Community Engagement for Racial Equity and Social Justice, Office of Legislative Oversight, March 12, 2024.](#)

<sup>29</sup> [Livia Mucciolo, et al., “The Cost of Parking: A Preliminary Analysis of Parking Tickets Data in Austin, Minneapolis, and Portland,” Urban Institute, January 2023, pgs. 4-5.](#)

<sup>30</sup> For Tables A and B, race is not inclusive of Latinx origin.

<sup>31</sup> OLO filtered the [Traffic Violations dataset on dataMontgomery](#) to only include violations of [Maryland Code Title 21, Subtitle 12 – Operation of Bicycles and Play Vehicles](#), excluding violations of 1209 (a2) and 1209 (d) (motor vehicle violations) and other violations of subtitle 12 that cited drivers of motor vehicles.



# Fiscal Impact Statement

Office of Management and Budget

<b>Bill 28-25</b>	<b>Motor Vehicles and Traffic - Parking in Bikeways - Prohibited</b>
<b>Bill Summary</b>	Bill 28-25 amends Chapter 31, Motor Vehicles and Traffic, Sections 31-1 and 31-20, of Montgomery County Code by prohibiting the standing, stopping or parking of vehicles in bikeways and generally amending the law regarding motor vehicles and traffic in Montgomery County.
<b>Fiscal Impact Summary</b>	The bill is not expected to impact County expenditures or revenues associated with the Parking Lot Districts (PLDs) or Residential Parking Permit Areas (RPPAs). Expenditure and revenue impacts to the remainder of the County, not including areas under the jurisdiction of municipalities and the Maryland-National Capital Parks and Planning Commission (M-NCPPC), are not known.
<b>Fiscal Impact Analysis</b>	There is no fiscal impact to the PLDs or RPPAs regarding revenues or expenditures. Existing patrols in these locations currently cite bikeway violations utilizing Section 31-20(a)(1) of Montgomery County Code, which is defined as "In any manner on a public highway which impedes the movement of traffic or constitutes a threat to public safety". The bill would only increase the number of violations issued for bike lane blockage if accompanied by additional expenditure for enforcement officers to expand enforcement coverage, which would then be offset by additional revenues. Expenditure and revenue impacts to the remainder of the County, not including areas under the jurisdiction of municipalities and the Maryland-National Capital Parks and Planning Commission (M-NCPPC), are not known.
<b>Staff Impact</b>	The bill is not expected to have a fiscal impact on staff, however, current staff and contractors will likely need training on new violation codes and bike lane enforcement as well as communication points when conducting outreach at bike and Vision Zero events. This training is anticipated to take four hours and would be conducted within regular working hours or shift.
<b>Actuarial Analysis</b>	The bill is not expected to impact retiree pension or group insurance costs.
<b>Information Technology Impact</b>	The bill is not expected to impact the County Information Technology (IT) or Enterprise Resource Planning (ERP) systems.
<b>Other Information</b>	
<i>Later actions that may impact revenue or expenditures if future spending is projected</i>	The bill does not authorize future spending.
<b>Contributors</b>	Haley Peckett, Montgomery County Department of Transportation Michael Paylor, Montgomery County Department of Transportation Scot Reinmann, Montgomery County Department of Transportation Joseph Pospisil, Montgomery County Department of Transportation Matt Johnson, Montgomery County Department of Transportation Greg Bruno, Office of Management and Budget



# Economic Impact Statement

Montgomery County, Maryland

## Bill 28-25: Motor Vehicles and Traffic – Parking in Bikeways – Prohibited

### Summary

The Office of Legislative Oversight (OLO) anticipates that Bill 28-25 would have an insignificant impact on economic conditions in the County, as measured by the Council's priority economic indicators. By prohibiting individuals from stopping, standing, or parking a vehicle in a bikeway, the policy change is unlikely to have a meaningful economic impact on businesses or residents. While local businesses often worry that improved bike and pedestrian facilities will deter motorists and harm sales, research on bicycle and pedestrian infrastructure has largely shown no significant impact on net consumer spending at nearby businesses.<sup>1</sup> Additionally, the fiscal impact assessment notes that enforcement of this policy would not be expanded unless additional revenues are allocated for this purpose.

### Background and Purpose of Bill 28-25

Under County law, community members are prohibited from stopping, standing, or parking a vehicle in any way that impedes traffic and in certain places. This includes sidewalks, crosswalks, and within intersections, among others.<sup>2</sup> Currently, community members can be fined \$60 for violations of this law.<sup>3</sup>

If enacted, Bill 28-25 would prohibit individuals from stopping, standing, or parking a vehicle in a bikeway. The Bill defines a bikeway as “any area expressly intended for bike travel, including:<sup>4</sup>

- Associated curbs and gutters; and
- Any bike lane, off-street trail, separate bike lane, shared use roadway, or sidepath.”

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<sup>1</sup> In a 2021 review of the research literature on the economic impacts to local businesses of new or enhanced bicycle and pedestrian infrastructure, Volker and Handy synthesized 23 peer-reviewed and non-peer-reviewed studies focused on the U.S. and Canada that compared consumer spending between pedestrians, bicyclists, and automobile users, or quantified economic effects on businesses following infrastructure development. They concluded that new bicycle and pedestrian investments generally have neutral or positive effects on retail and food service businesses. However, auto-centric establishments may experience mild negative impacts. Jamey M. B. Volker and Susan Handy, “[Economic Impacts on Local Businesses of Investments in Bicycle and Pedestrian Infrastructure: A Review of the Evidence](#),” *Transport Reviews* 41, no. 4 (2021): 401–31. Subsequent studies—including Osterhage et al. (2024) on Seattle road safety projects and Merten and Kuhnimhof (2023) on retail rents in German city centers—corroborate these non-significant outcomes for local businesses. Daniel R. Osterhage et al., “[Economic Impact on Local Businesses of Road Safety Improvements in Seattle: Implications for Vision Zero Projects](#),” *Injury Prevention: Journal of the International Society for Child and Adolescent Injury Prevention* 30, no. 6 (2024): 468–73; Laura Merten and Tobias Kuhnimhof, “[Impacts of Parking and Accessibility on Retail-Oriented City Centres](#),” *Journal of Transport Geography* 113 (December 2023): 103733.

<sup>2</sup> [Introduction Staff Report for Bill 28-25, Montgomery County Council, Introduced July 29, 2025.](#)

<sup>3</sup> [Introduction Staff Report for FY 26 Resolution on Transportation Fees, Charges, and Fares, Montgomery County Council, Introduced March 25, 2025.](#)

<sup>4</sup> Introduction Staff Report for Bill 28-25.

According to the Bill's sponsor, Bill 28-25 is intended to "enhance safety for cyclists and keep designated bikeways clear and accessible for users."<sup>5</sup>

The Council introduced Bill 28-25 on July 29, 2025.

## Information Sources, Methodologies, and Assumptions

As required by 2-81B of the Montgomery County Code, this Economic Impact Statement evaluates the impacts of Bill 28-25 on residents and private organizations, using the Council's priority economic indicators as the measure. In doing so, it examines whether the Bill would have a net positive or negative impact on overall economic conditions in the County.<sup>6</sup>

OLO concluded it is unlikely that prohibiting individuals from stopping, standing, or parking a vehicle in a bikeway would meaningfully impact businesses or residents for two reasons. First, research on bicycle and pedestrian infrastructure has largely shown no significant impact on net consumer spending at nearby businesses. Second, the fiscal impact assessment notes that enforcement of this policy would not be expanded unless additional revenues are allocated for this purpose.

## Variables

Not applicable

## Impacts

WORKFORCE ▪ TAXATION POLICY ▪ PROPERTY VALUES ▪ INCOMES ▪ OPERATING COSTS ▪ PRIVATE SECTOR CAPITAL INVESTMENT ▪ ECONOMIC DEVELOPMENT ▪ COMPETITIVENESS

## Residents

Not applicable

## Businesses, Non-Profits, Other Private Organizations

Not applicable

## Net Impact

Not applicable

## Discussion Items

Not applicable

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<sup>5</sup> ["Councilmember Evan Glass Introduces Bicycle Safety Legislation," Press Releases, Montgomery County Council, July 29, 2025.](#)

<sup>6</sup> Montgomery County Code, ["Sec. 2-81B, Economic Impact Statements."](#)

## Caveats

Two caveats to the economic impact analysis conducted here should be noted. First, predicting the economic impacts of legislation is a challenging analytical endeavor due to data limitations, the multitude of causes of economic outcomes, economic shocks, uncertainty, and other factors. Second, the analysis performed here is intended to *inform* the legislative process, not determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the Bill under consideration.

## Contributions

Stephen Roblin, PhD (OLO) prepared this report.



DEPARTMENT OF TRANSPORTATION


Marc Elrich  
County Executive

Christopher R. Conklin  
Director

MEMORANDUM

September 30, 2025

TO: Evan Glass, Chair, Transportation and Environment Committee  
Montgomery County Council

FROM: Haley Peckett, Deputy Director, Transportation Policy  
Montgomery County Department of Transportation   
Haley Peckett (Sep 30, 2025 10:38:42 EDT)

SUBJECT: **Bill 28-25**, Motor Vehicles and Traffic – Parking in Bikeways – Prohibited

The Montgomery County Department of Transportation (MCDOT) is supportive of Bill 28-25, along with its goal of increasing safety for cyclists. This memo outlines operational considerations of the bill and the constraints that affect MCDOT's ability to enforce parking violations.

**Operational Considerations**

Overall, the bill has the potential to increase visibility of bicycle safety and emphasize the importance of keeping bike lanes clear. While MCDOT already enforces vehicles blocking bike lanes within Parking Lot Districts (PLDs), the language in Bill 28-25 is clearer to drivers and potentially easier to defend in District Court.

Currently MCDOT oversees parking enforcement within PLDs and Residential Parking Permit areas (RPPAs). As shown in Table 1 below, most of the mileage of "bikeways" defined in this bill are located outside of MCDOT's jurisdiction. The enforcement aspects of this memo apply only to PLDs and RPPAs.<sup>1</sup>

MCDOT (via staff or contracted enforcement officers) issues citations for bike lane violations under Sec 31-20(a)(1): "In any manner on a public highway which impedes the movement of traffic or constitutes a threat to public safety." MCDOT Parking issues about 37 citations a

<sup>1</sup> Montgomery County Police Department enforces on roads outside of PLDs, as well as in PLDs after regular enforcement hours. Maryland National Parks and Planning Commission has enforcement authority within their parks, which contain bikeways. MCDOT defers to these entities in terms of the bill's impacts on their operations.

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month, mostly in the Silver Spring PLD (see Table 2). There are currently 24 contractor staff assigned to parking enforcement across all of the PLD and RPP areas. For on-street parking enforcement, the contractors are directed to focus on metered spaces and spaces signed for RPP permits. However, they can and do issue citations for any on-street parking infraction that occurs anywhere within the PLD, including bike violations.

Bill 28-25 would not change enforcement operations, aside from the need to train enforcement staff to use a new violation code. However, absent adding additional enforcement staff focused on bike lane violations, the bill would also not result in the intended change in behavior. In Silver Spring, several protected and unprotected bike lanes are not metered and therefore may be outside of the more frequent patrol areas. MCDOT has assumed for its fiscal impact statement that a new route be established to focus on bike lane enforcement, although this new route is not necessary to enact the law.

MCDOT also anticipates that new signage will be needed to communicate the prohibition on stopping, standing, and parking in bikeways. All separated bike lanes installed by MCDOT since 2014 have appropriate signage, but conventional bike lanes and shoulders may not have consistent signage. Many people do not know the difference between stopping, standing, and parking, nor do they understand that an international No Parking sign (P with a circle and line through it) legally allows stopping and standing in the County. Many roads that have bikeways on their shoulders, outside of PLDs, are signed as “No Parking Any Time” but would ideally be changed to “No Standing, Stopping, or Parking.” While not required by the law, MCDOT would also recommend a comprehensive signage inventory to ensure that appropriate signage is included at all bikeways. MCDOT recommends using this signage inventory to make informed decisions about adding signage to shoulders and other bikeways in rural areas, where costs of frequent signage may be prohibitive.

MCDOT also conducts outreach to the traveling public through its Parking Division, Communications team, Safe Routes to Schools program, and marketing teams in the Commuter Services and Ride On sections. MCDOT would recommend focused communication with the traveling public about the new violation type, enforcement, and interpretation of parking signage.

*Table 1: Length of Bikeway Infrastructure by Area Type (in Miles)*

	Separate d Bike Lanes	% Separat ed Bike Lanes	Bike Lanes	% Bike Lanes	Sharro ws	Signed On- Road	Shoulder	% Shoul der	Paved Off- Road	Natural Surface
M-NCPPC	0	0.0%	5.3	8.7%	0	0	2.4	5.8%	75.6	5.6
Municipalities	0	0.0%	9.5	15.5%	8.9	33	0	0.0%	46.6	0
In RPPA	0.14	1.8%	0.8	1.3%	1.3	5.5	0.8	1.9%	6.6	0
In PLD	2.1	26.9%	0.43	0.7%	1.2	0.9	0.1	0.2%	0.8	0
Rest of MoCo	5.56	71.3%	45.17	73.8%	5.6	14.7	38.3	92.1%	161.4	42.7
Total	7.8		61.2		17	54.1	41.6		291	48.3

*Table 2: MCDOT Parking Tickets for Obstructed Bikeways (FY24)*

<b>PLD</b>	<b># Tickets</b>
Silver Spring PLD	260
Bethesda PLD	49
Wheaton PLD	4
RPPAs	1
North Bethesda	7
Total	321

### **Potential Amendments**

While MCDOT supports the intent of the bill, there are several minor amendments that may increase its efficacy and ease of enforcement.

First, the definition of “bikeways” includes shared-use roadways. These roadways are designated in County master plans or by MCDOT and are visible to the traveling public via occasional green directional signage and “sharrows,” or markings on the roadway that indicate that the road should be shared between motor vehicles and cyclists. Many of these shared-use roadways also have on-street residential parking, and MCDOT does not believe it is the intent of the bill sponsor to eliminate parking on these roadways. Further, parking along shared-use roadways has the indirect effect of slowing vehicle traffic and therefore making the road safer for cyclists.

Second, MCDOT has found at least one route (and likely others) where Ride On buses pull into a marked bike lane on the shoulder of a road (outside an urban area) for boarding and alighting passengers. This may also affect school buses. If buses were to stop in the travel lane, that would be a potential violation of the Americans with Disabilities Act. It would likely be safer for the bus driver and passengers to pull onto the shoulder to board and alight, but this would be a technical violation of the law if passed.

Similarly, shoulders on higher-speed, rural or low-density suburban roadways that are included in the definition of “bikeways” may be the only safe space to stop in case of an emergency or breakdown. Without compromising cyclist safety, we would recommend carving out discretion for emergency stops.

Finally, a similar bill was introduced to the Maryland General Assembly in 2025, and bill opponents argued that the bill would challenge the U.S. Postal Service’s ability to deliver mail.

While not explicitly required by the bill, the bill sponsor communicated that the bill’s implementation may include increased enforcement responsiveness to bike lane violations. MCDOT believes that most bike lane violations are likely to be short duration (<30 minutes to unload passengers, pick up food, etc.). MCDOT wants to clarify that we do not currently have



the resources or infrastructure to respond within a 30-minute window for parking complaints.<sup>2</sup> Response times outside the PLDs would require more resources due to the dispersed nature of bike lanes. We do not currently have data to indicate how much revenue from violations would offset the costs of greater enforcement coverage and communication infrastructure.

Potential amendment language is as follows:

1. Exempts “shared use roadways” from parking, stopping, and standing prohibitions. (Delete page 2, line 17, and on line 18, remove “shared use roadway”)
  - a. Or this could be addressed by editing Line 49:  
(11) On any bikeway, except where parking is specifically allowed by signs on a shared-use roadway.
2. Line 18: The added word “separate bike lane” should be “separated bike lane” to conform to other uses of the word in County Code (*separated* versus *separate*).
3. Exempt “public transit and school buses that are actively loading or unloading passengers at designated transit stops.”
4. Allow for stopping or standing in the event of an emergency on shoulders.

### **Additional Information**

While reviewing Section 31-20 (a) (9) of the County Code, the language makes parking, stopping, or standing illegal in any rush-hour restricted parking space even outside the restricted hours. The language reads, “a person must not stop, stand, or park a vehicle, whether occupied or not: (9) in any place an official sign prohibits parking during specific a.m. or p.m. peak traffic periods.” It does not say that the restriction on stopping, standing, or parking only applies during those periods.

If amending this section, MCDOT recommends a minor edit as follows:

“A person must not stop, stand, or park a vehicle, whether occupied or not:  
(9) in any place an official sign prohibits stopping, standing, or parking during specific a.m. or p.m. peak traffic periods, during the times posted on the sign.”

cc: Kate Stewart, President, Montgomery County Council  
Marilyn Balcombe, Montgomery County Council  
Christine Wellons, Chief Legislative Attorney, Montgomery County Council  
Stephen Kenny, Legislative Analyst, Montgomery County Council  
Christopher R. Conklin, Director, Department of Transportation  
Haley Peckett, Deputy Director of Policy, Department of Transportation  
Wade Holland, Vision Zero Program Coordinator  
Marc Yamada, Chief, Montgomery County Police Department  
Nicholas Augustine, Assistant Chief, Montgomery County Police Department

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<sup>2</sup> MCDOT Parking staff have found that staff are most efficient by focusing on one area of enforcement at a time, rather than sending enforcement officers to respond to individual complaints. The latter strategy results in fewer overall citations written and more officers spending patrol time in transition.

Captain Eric Stancliff, Director of Policy and Planning Division, Montgomery County  
Police Department  
Earl Stoddard, Assistant Chief Administrative Officer, Office of the County Executive  
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